

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
FINAL UTILITY ORDERS
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January 10, 2005

In the Matter of Penalty Assessment DOCKET NO. UT-040572
against TelWest Communications,
LLC

ORDER NO. 03

COMMISSION ORDER ON BRIEF
ADJUDICATION

In order to secure a valid authorization of a preferred carrier freeze (a method by which a customer can prevent being shifted to another carrier without the customer's permission), a third-party verifier, acting for the preferred carrier, must verify the customer's authorization of the freeze. ¶ 20; WAC 480-120-147(5).

Equitable estoppel is not favored in application to government in the performance of a governmental (as opposed to proprietary) function. The enforcement of regulatory provisions to protect the public is a governmental function. ¶ 23; RCW 80.01.040.

The Commission applies equitable estoppel only when the prerequisites for estoppel are met: a specific government statement or act; reasonable reliance on such an act; an injury; a manifestly unjust

result; and impairment of the
government's protection of the public.
¶ 24; RCW 80.01.040.

A rule that has been effective at the state
and national level for a long time cannot
be termed "new" even if it is the first
Commission interpretation of the rule.
¶ 26; RCW 80.01.040.